



Attorney Docket No. 0756-2395

Petition #19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:

Hongyong ZHANG

Serial No. 09/987,607 ✓

Filed: November 15, 2001

For: METHOD FOR PRODUCING

SEMICONDUCTOR INTEGRATED

CIRCUIT INCLUDING A THIN FILM

TRANSISTOR AND A CAPACITOR

) Group Art Unit: 2813

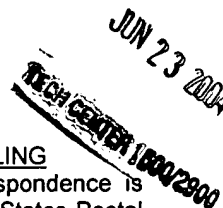
) Examiner: D. Hogans

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service with sufficient postage as First Class
) Mail in an envelope addressed to:
) Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, on

6-14-04

) Adelle M. Stamps



PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Abandonment faxed May 13, 2004, has been received and its contents carefully noted. This response is filed within two months of the mailing date of the Notice and therefore is believed to be timely without extension of time (see 37 CFR 1.181(f)). Accordingly, the Applicant respectfully submits that this response is being timely filed.

In accordance with MPEP § 711.03(b) and 37 CFR § 1.181(a), the Applicant contends that the present application is not in fact abandoned. An *Amendment* was timely filed by the Applicant's representative in accordance with standard office procedures and as outlined in 37 CFR § 1.8, that is deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 3, 2004. Copies of the *Amendment* including the Certificate of Mailing and the post card sent with the *Amendment* indicating receipt of the *Amendment* on February 10, 2004, are attached herewith. Therefore, the Applicant respectfully submits that the

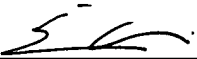
Amendment was properly filed on February 3, 2004, and that the present application is not in fact abandoned.

Accordingly, as noted in MPEP § 711.03(b), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee.

The Applicant respectfully requests that the present petition be granted and that the *Amendment* filed February 3, 2004, be entered and considered in due course.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789

1. Amendment
2. Certificates of Mailing for each of the above

EJR/EJR/ams



JUN 23 2004

SM CENTER 1600/2900

TECH CENTER 1800/2900



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,607	11/15/2001	Hongyong Zhang	740756-2395	7367

31780 7590 05/18/2004

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OPF MAC FALLS, VA 20165

EXAMINER

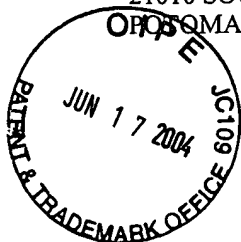
HOGANS, DAVID L

ART UNIT

PAPER NUMBER

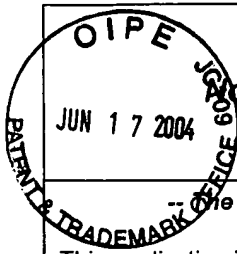
2813

DATE MAILED: 05/18/2004



Please find below and/or attached an Office communication concerning this application or proceeding.

JUN 23 2004
TECH CENTER
MAY 20 2004
fjc
6/20/04



Notice of Abandonment

Application No.	Applicant(s)	
09/987,607	ZHANG, HONGYONG	
Examiner	Art Unit	
David L. Hogans	2813	


The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

JUN 23 2004

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 03 November 2003.
(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
(d) ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
(b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
(c) ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
(b) ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☒ The reason(s) below:

The Law Office of Robinson Intellectual Property orally contested the holding of abandonment on May 12, 2004. A courtesy faxed copy of the holding of abandonment was sent on May 13, 2004


CARL WHITEHEAD, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.